



*L. Parks*  
*2-21-01*  
*#11/supl.*  
PATENT *IDS*  
Docket No. 435712000920  
Client Ref. 025

**CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents, Washington, D.C. 20231, on February 13 2001.

*Kerry Keehan*  
Kerry Keehan

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Christopher J. DANEK et al.

Serial No.: 09/296,040

Filing Date: April 21, 1999

For: MODIFICATION OF AIRWAYS BY  
APPLICATION OF ENERGY

Examiner: A. Farah

Group Art Unit: 3739

**RECEIVED**  
**FEB 21 2001**  
**TECHNOLOGY CENTER R3700**

**SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

*IDS using Certification based on a Search Report*

The documents listed 1-6 and 8-13 on the attached Form PTO-1449 were cited in a Search Report mailed on November 27, 2000, directed to a counterpart international or foreign application.

This Information Disclosure Statement is submitted:

- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☒ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of \* is enclosed.
  - ☒ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee. Accordingly an authorization to charge our deposit account, and a Certification under 37 C.F.R. § 1.97(e) are provided herein.

*Certificate of Prompt Filing under 37 C.F.R. § 1.97(e)(1)*

I hereby certify that each item of information was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

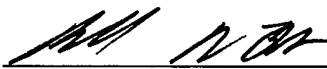
The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is to the best of my knowledge and is not to be construed as a representation

that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing 435712000920. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: February 13, 2001

Respectfully submitted,

By:   
Richard R. Batt  
Registration No. 43,485

Morrison & Foerster <sub>LLP</sub>  
755 Page Mill Road  
Palo Alto, California 94304-1018  
Telephone: (650) 813-5616  
Facsimile: (650) 494-0792